



BWP AQ 06 Notification Prior to Construction or Demolition

Instructions and Supporting Materials

Table of Contents

- Introduction
- Permit fact sheet
- DEP addresses and phone numbers

Introduction

DEP encourages filing Construction/Demolition Notification Form AQ-06 online via eDEP! If you have not already done so, please register online with eDEP at <https://edep.dep.mass.gov/DEPHome.aspx>. Select “New User” and complete the required steps. It should take no more than five minutes to complete the registration process, and you can begin online filing of your notifications right away.

For paper filers, the Construction/Demolition Notification Form AQ-06 on DEP’s web site should be used. Construction/Demolition Notification Forms and Instructions are available for download from DEP’s Web site at <http://www.mass.gov/dep/bwp/daqc/aqforms.htm> in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed. A DEP Permit Transmittal Form is not required when submitting a Construction/Demolition Notification Form.

Instructions in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a Construction/Demolition Notification Form (which is considered a permit application). Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

Notification Forms in Microsoft Word™ format must be downloaded separately. Users with Microsoft Word™ 97 or later may complete these forms electronically.

Instructions and Forms in Adobe Acrobat PDF™ format combine Instructions and Notification Forms in a single document. Adobe Acrobat PDF™ files may only be viewed and printed without alteration. Notification Forms in this format may not be completed electronically.



BWP AQ 06 Notification Prior to Construction or Demolition Permit Fact Sheet

1. What are the Department of Environmental Protection's (DEP's) notification requirements for construction or demolition of a building?

In accordance with 310 CMR 7.09, DEP requires notification 10 working days prior to the construction or demolition of a building. The purpose of the notification requirement is to protect public health and the environment by preventing the release of dust or other potentially hazardous air pollutants to the ambient air. Under the federal National Emission Standards for Hazardous Air Pollutants (NESHAP), the U.S. Environmental Protection Agency also requires notification of demolition of a building.

2. Who must notify?

Any owner or operator responsible for construction or demolition of a building, excluding residential buildings with less than 20 units, must notify DEP.

3. Is there a specific notification form?

Yes. Notification must be made using DEP's "BWP AQ 06 Notification Prior to Construction or Demolition."

The Construction/Demolition Notification Form and Instructions are available on DEP's website at www.mass.gov/dep/bwp/daqc/aqforms.htm.

4. How do I submit the Construction/Demolition Notification Form?

To submit a Construction/Demolition Notification AQ-06 Form, do one of the following:

1. File the AQ-06 online via DEP's website. If you have not already done so, register online with eDEP at <https://edep.dep.mass.gov/DEPHome.aspx>. Select "New User" and complete the required steps. It should take no more than five minutes to complete the registration process, and you can begin online filing of your notifications right away.
2. For paper filers, when the AQ-06 is completely filled out, and the appropriate decal is affixed to the form (see Question #6 below), use regular, certified or U.S. Postal Service Express mail to send the form to:

Commonwealth of Massachusetts
Asbestos Program
P.O. Box 120087
Boston, MA 02112-0087

3. Use a private delivery or overnight service and send the AQ-06 to the following address: Asbestos Notification, 8th Floor, Massachusetts DEP, One Winter Street, Boston, MA 02108.

5. What is the notification fee for construction or demolition projects?

The notification fee required by DEP regulations (310 CMR 4.00, Timely Action and Fee Provisions) for construction or demolition projects is \$85.00 per notification. However, owner-occupied residential properties with four or fewer units, cities, towns, counties, districts of the Commonwealth, municipal housing authorities, and other state agencies are not subject to construction or demolition notification fees.



BWP AQ 06 Notification Prior to Construction or Demolition Permit Fact Sheet

6. How and when do I pay the notification fee?

When filing online via eDEP, you will pay the fee online using a credit card. For paper filers, in order to pay the fee, a notification fee decal must be purchased from DEP and affixed to the Construction/Demolition Notification Form prior to submitting the notification form. For jobs that are exempt from the notification fee an EXEMPT decal must be obtained from DEP and affixed to the notification form.

Fee decals may only be purchased in person at the reception area on the second floor of DEP's One Winter Street Boston Office. For fee-exempt construction/demolition jobs, EXEMPT notification decals may be picked up (free of charge) at the reception area of DEP's One Winter Street Boston Office or at any regional DEP office.

For decals requiring a payment, payment must be in the form of a check or money order made payable to "Commonwealth of Massachusetts." Cash and credit cards cannot be accepted.

Each notification decal contains a unique number that is used to track the notification. Forms without decals will not be accepted.

7. Is the notification fee decal refundable?

No. In the event that a construction/demolition notification is withdrawn, the notification fee will not be refunded. For paper filers, decal fees may be refunded if the original purchaser returns the unused and intact decals. Contact DEP's Revenue Office at the DEP Boston Office to find out how to obtain a refund. Lost decals are not eligible for a refund.

8. What is the timeline for notification review?

After the AQ-06 is received it will be reviewed by DEP. The notifier will be **contacted only in case of deficiencies** in the submitted notification form, in which case the construction/demolition operation may not start. Where DEP informs the notifier of deficiencies in the notification form, the notifier will have 30 calendar days from the date of being informed of the deficiencies in which to respond. Where the notifier responds to the deficiencies in the original notification form within the 30-day period, DEP may review the updated notification within the 10 working day notification period. If DEP does not issue a denial letter within the 10 working day, the job may begin. DEP will deny a notification only in writing.

If deficiencies are found during DEP's second review, DEP will reject the notification, and the notifier may not proceed with the job. If the notifier wishes to proceed with the construction/demolition operation after DEP has rejected the notification, the notifier must submit a new notification and fee to DEP for consideration.

9. Can I revise my construction or demolition notification form?

Yes. Revisions to the original notification form may be made by doing either of the following:

1. File the notification revision online via eDEP (you can do this even if the original notification was a paper copy).
2. For paper filers, on a copy of the original notification form, write "REVISION" under the notification fee decal, and on the form indicate the revisions being made to the original notification. Mail a copy of the revised form to Commonwealth of Massachusetts, Asbestos Program, P.O. Box 120087, Boston, MA 02112-0087.



BWP AQ 06 Notification Prior to Construction or Demolition Permit Fact Sheet

10. What if I need an emergency waiver from the 10 working day notification requirement?

Contact the appropriate DEP regional office to determine if an emergency is warranted, and to receive an emergency waiver number. If DEP issues an emergency waiver, the construction/demolition operation may proceed. A Construction/Demolition Form and fee must still be submitted to DEP as described in Question #4. The Form should be submitted within one working day of the beginning of the construction or demolition operation that received the emergency waiver.

11. What can I do in avoiding the most common mistakes in submitting this notification?

- a. Fill in **all** information required on the Construction/Demolition AQ-06 Form. Filing the AQ-06 online via eDEP helps avoid common mistakes.
- b. For paper filers, make sure you attach the appropriate fee decal in the upper right hand corner of the Construction/Demolition Form.
- c. Make sure you print out a copy of the Construction/Demolition Form you file online. For paper filers, make sure you make a copy of the Form with the notification fee decal affixed to retain for your records or for use in the event that a revision must be submitted to DEP.
- d. If you have any questions about the Construction/Demolition Form, call the appropriate DEP Regional Office.

12. Where can I get copies of the regulations that apply to air quality and construction or demolition of structures?

DEP's regulations include, but are not limited to:

- Dust, Odor, Construction and Demolition Regulations, 310 CMR 7.09.
- Timely Action and Fee Provisions, 310 CMR 4.00.
- Administrative Penalty Regulations, 310 CMR 5.00.

DEP's regulations are available on DEP's website at www.mass.gov/dep. Official copies of DEP's and DOS's regulations may be purchased at:

State House Bookstore
Room 116
Boston, MA 02133
(617) 727-2834

State House West Bookstore
436 Dwight Street
Springfield, MA 01103
(413) 784-1376



Massachusetts Department of Environmental Protection

Addresses and Phone Numbers

DEP Boston
One Winter Street
Boston, MA 02108
Telephone: (617) 292-5500
Fax: (617) 556-1049
TDD: (617) 574-6868

William X. Wall Experiment Station
37 Shattuck Street
Lawrence, MA 01843
Fax: (978) 688-0352
Division of Environmental Analysis
Telephone: (978) 682-5237
Air Quality Surveillance
Telephone: (978) 975-1138

Office of Watershed
Management
627 Main Street
Worcester, MA 01608
Telephone: (508) 792-7470
Fax: (508) 839-3469

Millbury Training Center
Route 20 Millbury, MA 01527
Telephone: (508) 368-5600
Fax: (508) 755-9253
Residuals Sludge Management
Telephone: (508) 368-5606
WWT Operator Certification
Telephone: (508) 368-5698

DEP Western Region
436 Dwight Street
Suite 402
Springfield, MA 01103
Phone: (413) 784-1100
Fax: (413) 784-1149



Adams
Agawam
Alford
Amherst
Ashfield
Becket
Belchertown
Bernardston
Blandford
Brimfield
Buckland
Charlemont
Cheshire
Chester
Chesterfield
Chicopee
Clarksburg

Colrain
Conway
Cummington
Dalton
Deerfield
Easthampton
East Longmeadow
Egremont
Erving
Florida
Gill
Goshen
Granby
Granville
Great Barrington
Greenfield
Hadley

Hampden
Hancock
Hatfield
Hawley
Heath
Hinsdale
Holland
Holyoke
Huntington
Lanesborough
Lee
Lenox
Leverett
Leyden
Longmeadow
Ludlow
Middlefield

Monroe
Montague
Monterey
Montgomery
Monson
Mount Washington
New Ashford
New Marlborough
New Salem
North Adams
Northampton
Northfield
Orange
Otis
Palmer
Pelham
Peru

Pittsfield
Plainfield
Richmond
Rowe
Russell
Sandisfield
Savoy
Sheffield
Shelburne
Shutesbury
Southampton
South Hadley
Southwick
Springfield
Stockbridge
Sunderland
Tolland

Tyringham
Wales
Ware
Warwick
Washington
Wendell
Westfield
Westhampton
West Springfield
West Stockbridge
Whately
Wilbraham
Williamsburg
Williamstown
Windsor
Worthington

DEP Central Region
627 Main Street
Worcester, MA 01608
Phone: (508) 792-7650
Fax: (508) 792-7621
TDD: (508) 767-2788



Acton
Ashburnham
Ashby
Athol
Auburn
Ayer
Barre
Bellingham
Berlin
Blackstone
Bolton
Boxborough
Boylston
Brookfield

Charlton
Clinton
Douglas
Dudley
Dunstable
East Brookfield
Fitchburg
Gardner
Grafton
Groton
Harvard
Hardwick
Holden
Hopedale

Hopkinton
Hubbardston
Hudson
Holliston
Lancaster
Leicester
Leominster
Littleton
Lunenburg
Marlborough
Maynard
Medway
Mendon
Milford

Millbury
Millville
New Braintree
Northborough
Northbridge
North Brookfield
Oakham
Oxford
Paxton
Pepperell
Petersham
Phillipston
Princeton
Royalston

Rutland
Shirley
Shrewsbury
Southborough
Southbridge
Spencer
Sterling
Stow
Sturbridge
Sutton
Templeton
Topsfield
Tyngsborough
Upton

Uxbridge
Warren
Webster
Westborough
West Boylston
West Brookfield
Westford
Westminster
Winchendon
Worcester

DEP Southeast Region
20 Riverside Drive
Lakeville, MA 02347
Phone: (508) 946-2700
Fax: (508) 947-6557
TDD: (508) 946-2795



Abington
Acushnet
Attleboro
Avon
Barnstable
Berkley
Bourne
Brewster
Bridgewater
Brockton
Carver
Chatham
Chilmark

Dartmouth
Dennis
Dighton
Duxbury
Eastham
East Bridgewater
Easton
Edgartown
Fairhaven
Fall River
Falmouth
Foxborough
Franklin

Freetown
Gay Head
Gosnold
Halifax
Hanover
Hanson
Harwich
Kingston
Lakeville
Mansfield
Marion
Marshfield
Mashpee

Mattapoisett
Middleborough
Nantucket
New Bedford
North Attleborough
Norton
Norwell
Oak Bluffs
Orleans
Pembroke
Plainville
Plymouth
Plympton

Provincetown
Raynham
Rehoboth
Rochester
Rockland
Sandwich
Scituate
Seekonk
Sharon
Somerset
Stoughton
Swansea
Taunton

Tisbury
Truro
Wareham
Wellfleet
West Bridgewater
Westport
West Tisbury
Whitman
Wrentham
Yarmouth

DEP Northeast Region
1 Winter Street
Boston, MA 02108
Phone: 617-654-6500



Amesbury
Andover
Arlington
Ashland
Bedford
Belmont
Beverly
Billerica
Boston
Boxford
Braintree
Brookline
Burlington
Cambridge
Canton
Carlisle

Chelmsford
Chelsea
Cohasset
Concord
Danvers
Dedham
Dover
Dracut
Essex
Everett
Framingham
Georgetown
Gloucester
Groveland
Hamilton
Haverhill

Hingham
Holbrook
Hull
Ipswich
Lawrence
Lexington
Lincoln
Lowell
Lynn
Lynnfield
Malden
Manchester-By-The-Sea
Marblehead
Medfield
Medford
Melrose

Merrimac
Methuen
Middleton
Millis
Milton
Nahant
Natick
Needham
Lynn
Newburyport
Newton
Norfolk
North Andover
North Reading
Norwood
Peabody

Quincy
Randolph
Reading
Revere
Rockport
Rowley
Salem
Salisbury
Saugus
Sherborn
Somerville
Stoneham
Sudbury
Swampscott
Tewksbury
Topsfield

Wakefield
Walpole
Waltham
Watertown
Wayland
Wellesley
Wenham
West Newbury
Weston
Westwood
Weymouth
Wilmington
Winchester
Winthrop
Woburn



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention • Air Quality

BWP AQ 06

Notification Prior to Construction or Demolition

Please Enter Decal #

Affix Notification Decal Here

A. Applicability

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A Construction or Demolition operation of an industrial, commercial, or institutional building, or residential building with 20 or more units is regulated by the Department of Environmental Protection (DEP), Bureau of Waste Prevention - Air Quality Division, under Regulations 310 CMR 7.09. Notification of Construction or Demolition operations is required under 310 CMR 7.09 (2) ten (10) days prior to any work being performed. The following information is required pursuant to 310 CMR 7.09.

B. General Project Description

1. Facility Information:

Name

Address

City/Town

State

Zip Code

Telephone Number

E-mail Address (optional)

Size:

Square Feet

Number of Floors

Was the facility built prior to 1980? ☐ Yes ☐ No

Describe the current or prior use of the facility:

Is the facility a residential facility? ☐ Yes ☐ No

If yes, how many units?

2. Facility Owner:

Name

Address

City/Town

State

Zip Code

Telephone Number (include area code and extension)

E-mail Address (optional)

On-site Manager

Instructions

1. All sections of this form must be completed in order to comply with the Department of Environmental Protection notification requirements of 310 CMR 7.09

2. Submit Original Form To:
**Commonwealth of Massachusetts
Asbestos Program
P.O. Box 120087
Boston, MA
02112-0087**



BWP AQ 06

Notification Prior to Construction or Demolition

B. General Project Description (cont.)

3. General Contractor:

Name

Address

City/Town

State

Zip Code

Telephone Number (include area code and extension)

E-mail Address (optional)

On-site Manager

C. General Construction or Demolition Description

General Statement: If asbestos is found during a Construction or Demolition operation, all responsible parties must comply with 310 CMR 7.00, 7.09, 7.15, and Chapter 21E of the General Laws of the Commonwealth. This would include, but would not be limited to, filing an asbestos removal notification with the Department and/or a notice of release/threat of release of a hazardous substance to the Department, if applicable.

1. Construction or demolition contractor:

Name

Address

Telephone Number (include area code and extension)

E-mail Address (optional)

On-site Manager

2. On-Site Supervisor:

Name

3. Is the entire facility to be demolished? ☐ Yes ☐ No

4. Describe the area(s) to be demolished:

5. If this is a construction project, describe the building(s) or addition(s) to be constructed:



BWP AQ 06

Notification Prior to Construction or Demolition

C. General Construction or Demolition Description (cont.)

6. If this is a demolition project, were the structure(s) surveyed for the presence of asbestos containing material (ACM)?

☐ Yes ☐ No

If yes, who conducted the survey?

Name

Division of Occupational Safety Certification Number

7. Construction or Demolition

Start Date

End Date

8. For demolition and construction projects, indicate dust suppression techniques to be used:

☐ seeding

☐ paving

☐ wetting

☐ shrouding

☐ covering

☐ other

If other, please specify:

9. For Emergency Demolition Operations, who is the DEP official who evaluated the emergency?

Name of DEP official

Title

Date of Authorization

DEP Waiver #

D. Certification

I certify that I have examined the above and that to the best of my knowledge it is true and complete. The signature below subjects the signer to the general statutes regarding a false and misleading statement(s).

Print Name

Authorized Signature

Position/Title

Representing

Date

P.E. #